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Sub-Commission on Prevention
of Discrimination and Protection of Minorities
Forty-Fourth Session
Agenda item 6

Situation in East Timor

The Sub-Commission on Prevention of Discrimination and Protection of Minorities,

Bearing in mind the provisions of the Charter as well as of the Universal Declaration on Human Rights and of the Covenants on Civil and Political and on Economic, Social and Cultural Rights,

Noting also General Assembly Res. 37/30 of 23 November 1982 which mandated the Secretary-General to use his good-offices in consultation with all parties directly concerned to resolve the conflict in East Timor,

Recalling its Res. 1982/20 of 8 September 1982, 1983/26 of 6 September 1983, 1984/24 of 29 August 1984, 1987/13 of 2 September 1987, 1989/7 of 31 August 1989 and 1990/15 of 30 August 1990,

Bearing in mind the consensus statement by the Chairman of its fourty-third session (E/CN.4/1991/sub.2/1991/SR.26) and that of the President of the Commission on Human Rights, adopted on 4th March 1992, at its fourty-eight session (Doc. E/CN.4/1992/SR.54/Add.1)

Having examined the report of the visit to East Timor by the Special Rapporteur on Torture, Prof. Peter Koojimans (Doc. E/CN.4/1992/17/Add.1),

Appalled by the loss of lives and injuries of a large number of civilians and many unaccounted for, during, and in the aftermath of the 12 November 1991 violent events (~~massacre, incident~~) in Dili,

Welcoming the Secretary-General's decision to send Mr. Amos Waco as his Special Envoy to enquire into the violent incident of 12 November 1991,

Regretting that the conclusions of the National Commission of Enquiry set up by the Indonesian Government failed, in its conclusions, to clearly identify those responsible for the killings,

Considering that the government of Indonesia had undertaken to adopt the measures necessary towards the implementation of the recommendations of the Special Rapporteur on Torture,

Disturbed by the heavy sentences passed on the East Timorese involved in peaceful political activities on the basis of the "Anti-Subversion Law" whose abrogation had been recommended by the Special Rapporteur on Torture of the Commission on Human Rights,

Disturbed also by reports of continuing human rights violations in East Timor,

Disappointed by the persistent denial of access to the territory to human rights organisations,

1. Condemns the tragic events of 12 November 1991 in Dili in which East Timorese civilians, including women and children, were killed;

2. Expresses its utmost concern at reports of continuing widespread human rights violations in East Timor;

3. Asks the Secretary-General to consider transmitting the report of his Special Envoy, Prof. Amos Wako, to the Commission on Human Rights at its 49th session;

4. Asks the Secretary-General in the preparation of his report on the situation in East Timor for consideration in the Commission on Human Rights under item 12 to include an analytical compilation of all information received by governments, inter-governmental institutions, non-governmental organizations and all concerned persons.

5. Commends the decision of the government of Indonesia to set up a National Commission of Inquiry, but regrets that investigation of the action of the security personnel on 12 November 1991 has not been followed through, and invites the Indonesian authorities to cooperate in the preparation of the report of the Secretary-General above-mentioned by providing information on the complementary measures to bring to justice the security personnel responsible;

6. Calls upon the Indonesian authorities to release without delay all the East Timorese arrested or condemned for peaceful political activities;

7. Urges the government of Indonesia to provide the Working Group on Disappearances of the Commission on Human Rights the complete list of the missing persons whom, according to the authorities, had returned to their homes;

8. Further urges the Indonesian authorities on humanitarian grounds to cooperate with the families of the victims by providing information about the dead and the whereabouts of their remains for proper burial;

9. Calls upon the Indonesian authorities to implement its commitment to facilitate access to East Timor by humanitarian and human rights organisations,

10. Decides to review the situation in East Timor at its 45th session and to this end asks the Secretariat to transmit all available information concerning the human rights situation in the territory.